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FILING RECEIPT  
PLEASE DATE STAMP AND RETURN TO US - BOX 34385

In re application of:

Rob R. MONTGOMERY

Application No. 09/963,742 ✓

Confirmation No. (Unassigned)

Filed: September 27, 2001

For: BUYER-SIDE AUCTION DYNAMIC  
PRICING AGENT, SYSTEM, METHOD  
AND COMPUTER PROGRAM  
PRODUCT

Art Unit: (Unassigned)

Examiner: (Unassigned)

Atty. Docket No.: 35646-175138

Customer No.:



26694

PATENT TRADEMARK OFFICE

PAPER(S) FILED ENTITLED:

1. Response to Notice to File Missing Parts  
*(with executed Declaration & Power of Attorney and copy of Notice)*
2. Fee Transmittal
3. Check for \$65.00

VENABLE

1201 New York Avenue, N.W.  
Suite 1000

Washington, D.C. 20005-3917

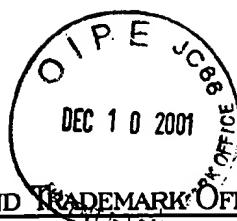
Telephone: (202) 962-4800

Facsimile: (202) 962-8300

DOCKET NO.: 35646-175183  
ATTORNEY/SEC: RPA/lpm

Date Filed: December 10, 2001

*Venable Filing No. 101765*



Page 1 of 1

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/963,742	09/27/2001	Rob R. Montgomery	35646-175183

26694  
VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP  
P.O. BOX 34385  
WASHINGTON, DC 20043-9998

CONFIRMATION NO. 9308

FORMALITIES LETTER



\*OC00000006955051\*

Date Mailed: 10/23/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/12/2001 NHOHAWH1 00000006 09963742

01 FC:205

65.00 OP

(3)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Rob R. MONTGOMERY

Application No. 09/963,742  
Confirmation No. 9308

Filed: September 27, 2001

For: BUYER-SIDE AUCTION DYNAMIC  
PRICING AGENT, SYSTEM, METHOD  
AND COMPUTER PROGRAM  
PRODUCT



Art Unit: 2161

Examiner: (Unassigned)

Atty. Docket No.: 35646-175183

Customer No.:



26694

PATENT TRADEMARK OFFICE

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**Attention: Box Missing Parts**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to file Missing Parts of Non-Provisional Application mailed November 26, 2001 submitted herewith are:

*Executed Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63;*  
 *Copy of Notice to File Missing Parts of Nonprovisional Application*

**TOTAL FEE SUBMITTED: \$65.00 (fees previously paid)**

If a greater or lesser fee is required, PTO is authorized to charge and/or credit Deposit Account No. 22-0261. For any further information, please contact me at the address listed below.

Respectfully submitted,

VENABLE, BAETJER, HOWARD & CIVILETTI, L.L.P.

Ralph P. Albrecht  
Attorney for Applicant  
Registration No. 43,466

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P.O. Box 34385  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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# FEE TRANSMITTAL

## for FY 2001

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT		(\$)	65	Attorney Docket No.	35646-175183
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METHOD OF PAYMENT (check one)						FEE CALCULATION (continued)						
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:						3. ADDITIONAL FEES						
Deposit Account Number		22-0261				Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description		Fee Paid
Deposit Account Name		VENABLE				105	130	205	65	Surcharge - late filing fee or oath		65
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		
2. <input checked="" type="checkbox"/> Payment Enclosed:						139	130	139	130	Non-English specification		
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other Order						147	2,520	147	2,520	For filing a request for reexamination		
						112	920*	112	920*	Requesting publication of SIR prior to Examiner action		
						113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		
						115	110	215	55	Extension for reply within first month		
						116	390	216	195	Extension for reply within second month		
						117	890	217	445	Extension for reply within third month		
						118	1,390	218	695	Extension for reply within fourth month		
						128	1,890	228	945	Extension for reply within fifth month		
						119	310	219	155	Notice of Appeal		
						120	310	220	155	Filing a brief in support of an appeal		
						121	270	221	135	Request for oral hearing		
						138	1,510	138	1,510	Petition to institute a public use proceeding		
						140	110	240	55	Petition to revive – unavoidable		
						141	1,240	241	620	Petition to revive – unintentional		
						142	1,240	242	620	Utility issue fee (or reissue)		
						143	440	243	220	Design issue fee		
						144	600	244	300	Plant issue fee		
						122	130	122	130	Petitions to the Commissioner		
						123	130	123	130	Petitions related to provisional applications		
						126	180	126	180	Submission of Information Disclosure Stmt		
						581	40	581	40	Recording each patent assignment per property (times number of properties)		
						146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		
						149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		
						179	710	279	355	Request for Continued Examination (RCE)		
						169	900	169	900	Request for expedited examination of a design application		
						Other fee (specify)						
						*Reduced by Basic Filing Fee Paid						SUBTOTAL (3) (\$ 65)

\*\*or number previously paid, if greater; For Reissues, see above

SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	RALPH P. ALBRECHT	Registration No. Attorney/Agent)	43,466	Telephone	(202) 216 8166		
Signature				Date	December 10, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**VENABLE**  
ATTORNEYS AT LAW

SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.